

IN SENATE OF THE UNITED STATES.

APRIL 6, 1848.

Submitted, and ordered to be printed.

Mr. UPHAM made the following

REPORT :

*The Committee on Revolutionary Claims, to whom was referred the petition of John S. Russworm, the son and legal representative of William Russworm, deceased, an officer of the army of the revolution, praying to be allowed interest on commutation pay, have had the same under consideration, and report:*

That no proofs, documents, or papers accompany the petition. The petitioner alleges that he is the son and legal representative of Wm. Russworm, deceased, who was a lieutenant in the army of the revolution, and belonged to the continental troops of North Carolina, and served until the close of the war. He further states that he petitioned Congress in 1838 for commutation pay, and that an act was passed allowing his claim, but without interest. The evidence upon which the act of 1838 was passed is not to be found on the files of the Senate, and your committee have no means of determining upon the justice of the claim allowed by that act. If the claim were properly allowed, the question arises, is the petitioner entitled to interest upon it? This question, the petitioner alleges, was passed upon by the Senate when the aforesaid act, of 1838, was under consideration, and the interest disallowed, and in that opinion the committee fully concur. The resolution of the 15th of May, 1778, promised seven years' pay to all military officers commissioned by Congress. The resolution of October 21st, 1780, provided half pay for life, to the same officers, in lieu of seven years' full pay; and the resolution of the 22d of March, 1783, commuted the half pay for life to five years' full pay. Provision was made by law soon after the close of the war for the settlement of these claims; and this claim, if it had been presented to the proper board and found due, would have been allowed and promptly paid. The United States, in the opinion of the committee, are under no obligations to pay interest upon a claim that has been suffered to sleep for nearly fifty years. They therefore recommend the following resolution:

*Resolved, That the prayer of the petitioner be rejected.*

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